

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DENNIS LYNN HARRIS, JR.,

Plaintiff,
v.

Case No. 23-cv-1220-pp

DR. TORRES,

Defendant.

**ORDER DISMISSING CASE FOR PLAINTIFF'S FAILURE TO DILIGENTLY
PURSUE IT**

On February 1, 2024, the court ordered plaintiff Dennis Lynn Harris, Jr., to show cause why the court should not dismiss this case because he had failed to diligently pursue it. Dkt. No. 17. The court explained that the plaintiff no longer was incarcerated at the Manitowoc County Jail, so the court had obtained his current address from the plaintiff's probation officer. Id. at 2. The court sent the screening order to the plaintiff at that address (in DePere, Wisconsin), but it was returned to the court as undeliverable. Id. The court sent the February 1, 2024 order to the plaintiff in care of his probation and parole officer. The court stated that it "does not know where the plaintiff is, does not have an accurate address for the plaintiff and has no way to reach him. The last the court heard from the plaintiff was on November 16, 2023," id., which was four and a half months ago as of the date of this order. The court ordered the plaintiff to respond to the order, "provide an updated address and inform the court whether he wishes to proceed." Id. at 3. The court advised

the plaintiff that if it did not receive his response and his updated address “by the end of the day on March 4, 2024, the court [would] dismiss this case without prejudice and without further notice or hearing.” Id.

The March 4, 2024 deadline has passed, and the court has not heard from the plaintiff. He has neither responded to the previous order nor provided an updated mailing address. The February 1, 2024 order has not been returned to the court. The court finds that the plaintiff has abandoned this lawsuit. It will enforce the previous order and dismiss this case without prejudice for the plaintiff’s failure to diligently prosecute it. See Civil Local Rule 41(c) (E.D. Wis.)

The court **ORDERS** that this case is **DISMISSED WITHOUT PREJUDICE** for the plaintiff’s failure to diligently pursue it. The clerk will enter judgment accordingly.

Dated in Milwaukee, Wisconsin this 20th day of March, 2024.

BY THE COURT:



HON. PAMELA PEPPER
Chief United States District Judge